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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,785	06/14/2001	Michael Tucker	PA1932	1613
29855	7590	11/17/2005	EXAMINER	
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, P.C. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			VAUGHN JR, WILLIAM C	
			ART UNIT	PAPER NUMBER
			2143	
DATE MAILED: 11/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,785

Applicant(s)

TUCKER ET AL.

Examiner

William C. Vaughn, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Action is in regards to the Amendment and Response received on 24 August 2005.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 August 2005 has been entered.

3. The application has been examined. Claims 22-32 are pending.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broussard et al. (Broussard), U.S. Patent No. 6,317,776 in view of Golden et al. (Golden), U.S. Patent No. 6,452,924.

6. Regarding independent claims 22, 24, 26, (e.g., exemplary independent claim 22). Broussard discloses the invention substantially as claimed. Broussard discloses a system, comprising: a videoconferencing unit that creates data in a format appropriate for real time transport protocol [see Broussard, Col. 4, lines 57-63]; a processor that receives that receives the

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data into a standard format appropriate for computer systems [see Broussard, Col. 4, lines 33-44], determining whether a frame of the data contains audio or video data [see Broussard, Col. 5, lines 1-8]; buffering audio data when a frame of the data contains audio data [see Broussard, Col. 6, lines 14-35]; buffering video data when a frame of the data contains video data [see Broussard, Col. 6, lines 13-25]; determining whether the converted data should include the buffered video data, wherein the buffered video data are incorporated into the converted data if it is determined that the buffered video data should be included, or an empty video frame is incorporated into the converted data if it is determined that the buffered video data should not be included [see Broussard, Col. 6, lines 35-45]. However, Broussard does not explicitly disclose reassembling the data.

7. In the same field of endeavor, Golden discloses (e.g., broadband multimedia communication over a network). Golden discloses reassembling data by a processor (Golden teaches in a receiving operation, framed broadband network connection traffic data is received through line interface unit 1060 via CSU or DSX interfaces 1067 and 1069, as controlled by CSU/DSX switch 1065. Under control of LIU controller 1061, framed network connection data is serially received through frame controller 1063 from TDM switch module 1050. TDM switch module 1050 handles the time division multiplexing of network connection data on PCM highway 111. B-channel mux/demux 1030 receives network connection data from PCM highway 111 and converts between the serial data of individual bearer channels and buffered LAN data. SRAM and control module 1020 buffers broadband network traffic data from the LAN as it is de-fragmented by CPU 116 and mux/demux 1030. PCI bus interface controller 1010 arbitrates the flow of data between the bonder components and the PCI bus of the premises switch 110.

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The reassembled data is packetized for transmission by CPU 116 with information provided by bonding function 123, and sent to appropriate destination by network address translation function 119 and routing function 113), [see Golden, Col. 27, lines 50-67 and Col. 28, lines 1-2].

8. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Golden's teachings of a broadband multimedia communication over a network with the teachings of Broussard, for the purpose of providing multimedia communications over both local and wide areas using standard channels [see Golden, Col. 2, lines 1-7].

9. Regarding dependent claims 23, 25, 27-32, the Examiner takes Official Notice (see MPEP 2144.03).

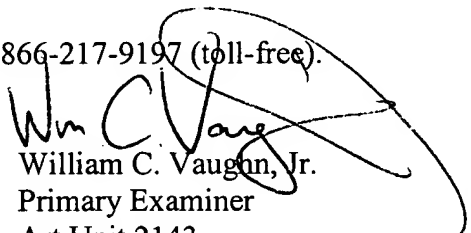
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.  
Primary Examiner  
Art Unit 2143  
11 November 2005

WCV